

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

WP(C).No. 29806 of 2007(W)

PETITIONER:

POULOSE P.O., S/O.OUSEPH, AGED 48 YEARS
PEENIKKAPARAMBAN HOUSE, CHETTIKULAM P.O.,
CHALAKKUDY, THRISSUR - 680 721.

BY ADV. SRI.KRISHNA PRASAD. S
SRI.S.ASHOK KUMAR.

RESPONDENTS:

1. THE SECRETARY, CHALAKKUDY MUNICIPALITY
MUNICIPAL OFFICE, CHALAKKUDY, THRISSUR DT.
2. THE REGISTRAR OF BIRTHS AND DEATHS,
OFFICE OF THE REGISTRAR OF BIRTHS AND DEATHS,
CHALAKKUDY MUNICIPALITY, MUNICIPAL OFFICE,
CHALAKKUDY, THRISSUR DT.
3. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
DEPARTMENT OF PANCHAYATS/URBAN AFFAIRS,
SECRETARIAT, THIRUVANANTHAPURAM.

BY SC SRI.SANTHALINGAM
BY G.P. SRI.K.J.MUHAMMED ANZAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 8/10/2007 , THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 29806 of 2007

Dated this the 8th day of October , 2007

JUDGMENT

The petitioner is desirous of getting the name of his third child Alisha presently registered in the Birth Register of the first respondent Municipality as Alisha P. changed as Alisha Poulouse.

2. Having regard to the various documents placed along with the writ petition and the averments made in the writ petition, I feel that the petitioner's desire is genuine and his request to the 2nd respondent for correction is apparently bona fide. But, as rightly submitted on behalf of the learned Standing Counsel Sri.Santhalingam for the respondent Municipality, the petitioner has not so far filed any application seeking such correction. Though Sri.Krishna Prasad would submit on the basis of the judicial precedents that it is possible for the 2nd respondent to consider the application for correction like the one presently sought for by the petitioner even without written application, I am of the view that on the facts of this case it is for the petitioner to file necessary application before the 2nd respondent. I dispose of the writ petition in the following terms:

If the petitioner files an application before the 2nd respondent for correction of the name of his 3rd child Alisha in whatever manner he is desirous of before the 2nd respondent within one week of his receiving a copy of this judgment, the 2nd respondent will consider that application in accordance with law (Section 15 of the Registration of Births and Deaths Act 1969 read with relevant rules under that Act.) . This the 2nd respondent will do at his earliest and at any rate within three weeks of receiving a copy of this judgment.

**PIUS C. KURIAKOSE,
JUDGE.**

dpk